

## Remarks

### Statement under MPEP 706.02 (1) (2)

Application 10/624,742 and U.S. Patent No. 6,703,077 were, at the time the invention of Application 10/624,742 was made, owned by The Goodyear Tire & Rubber Company.

### Rejections Under 35 U.S.C. Section 112

Claims 2 and 12 are rejected under 35 USC Section 112 as being indefinite. The Examiner contends that there is insufficient antecedent basis for the limitation "said at least one additional rubber" in each of claims 2 and 12, because the at least one additional rubber is optional in claims 1 and 11, i.e., claims 1 and 11 recite a range of zero to 50 parts of at least one additional rubber. Applicants respectfully urge that this is not the case.

Applicants urge that claims 2 and 12 are clear to one skilled in the art. If claim 1, for example, were amended to recite the Markush group from claim 2, would claim 1 then be indefinite? It simply does not follow that if "zero to 50 parts by weight of at least one additional rubber" is clear, that "zero to 50 parts by weight of at least one additional rubber, wherein said at least one additional rubber is selected from the group consisting of . . ." is not clear, since the actual choice of rubbers is being specified. In fact, claim 1 would then become even more definite, as the at least one rubber would then be more clearly defined as being chosen from a specific group of rubbers. By the same reasoning, claim 2 is clear, since claim 2 includes all of the limitations of claim 1, and simply better defines the at least one rubber of claim 1. Applicants respectfully urge that claims 2 and 12 are definite and clear to one skilled in the art.

### Rejections Under 35 U.S.C. Section 103(a)

Claims 1, 2-11, and 13-20 are rejected under 35 USC 103(a) as being unpatentable over Igarashi, U.S. Patent No. 5,348,779, in view of Chu, U.S. Patent No. 6,703,077. These rejections are traversed.

Applicants first urge that Chu is not prior art against the present claims under 35 USC 103(c)

in view of the statement under MPEP 706.02 (1)(2) made herein.

Even if Chu were prior art, Applicants urge that no motivation exists to combine the teachings of Iragashi and Chu to arrive at the present claims.

Iragashi teaches a hose and hose nipple combination wherein a sealing layer of chlorinated elastomer is used to bond the hose 14 and nipple 12 (column 9, lines 7-22). In one embodiment, sealing layer 16 overlays nipple 12 (Fig. 5), and in another embodiment sealing layer 16 overlays resin layer 2 (Fig. 6). The sealing layer may comprise chlorosulphonated polyethylene or chlorinated polyethylene rubbers (column 9, lines 48-53) and hydrotalcite (column 9, lines 23-47). Nowhere does Iragashi teach that the sealing layer may comprise polychloroprene.

Nowhere does Iragashi teach nor make obvious a composite material as recited in claim 1. Iragashi does not teach nor make obvious a vulcanizable rubber composition comprising polychloroprene and hydrotalcite at all; Iragashi teaches only the use of chlorosulphonated polyethylene or chlorinated polyethylene rubbers with hydrotalcite. Moreover, Iragashi does not teach nor make obvious a composite material comprising textile fibers having distributed over surface portions thereof an RFL adhesive and a vulcanizable rubber composition, wherein the vulcanizable rubber composition comprises 50 to 100 parts by weight of polychloroprene rubber, 0 to 50 parts by weight of at least one additional rubber, and from about 0.1 to 40 parts by weight of a hydrotalcite.

Chu, cited by the Examiner as teaching the use of RFL with fiber reinforcement, is not prior art against the present claims as noted earlier herein. Even if Chu were prior art, and even if Chu were combined with Iragashi, such a combination does not arrive at the present claims. Again, Iragashi simply does not teach a polychloroprene and hydrotalcite rubber composition at all, let alone in a composite with a fiber reinforcement treated with an RFL adhesive. Nor does Chu teach nor make obvious a composite material as in the present claims; nowhere does Chu suggest that an RFL treated fiber may be used in a composite material with a rubber composition comprising polychloroprene and hydrotalcite. Applicants urge that one skilled in the art would not be motivated to substitute the RFL treated fibers of Chu for the fiber layer 6 of Iragashi, and even if Iragashi and

Chu were combined one would not arrive at the present claims; there is simply no teaching in either Iragashi nor Chu directed to a rubber composition comprising polychloroprene and hydrotalcite.

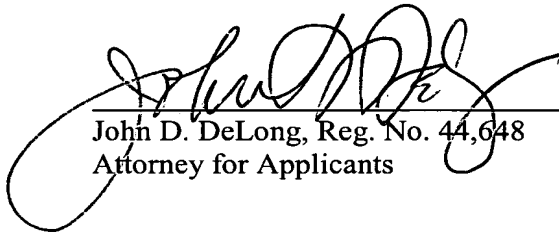
Applicants urge that since no motivation exists to combine Iragashi and Chu, and even if combined, such a combination would not arrive at the present claims, prima facie obviousness has not been established.

Claims 2 and 12 are rejected under 35 USC 103(a) as being unpatentable over Igarashi in view of Chu and further in view of Miyata, U.S. Patent No. 4,558,102. Applicants urge that the arguments applied to the rejection of claims 1 and 11 over Iragashi in view of Chu apply equally to claims 2 and 12.

### **Conclusion**

Applicants urge that the claims are now patentable over the cited art and respectfully request allowance of the claims.

Respectfully submitted,



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